

## REMARKS

In paragraph 2 of the Office Action, claims 1-4, 7-15, 18-26, 29-37, 40-48, 51-59, 62-70, 73-81, 83-88 and 97 were rejected under 35 U.S.C. §102(b) as being anticipated by Egan.

Reconsideration is requested.

The Egan patent was applied as disclosing an article of manufacture (figure 6-comprising a first support layer of film with a permanent bond interface, a second film layer adhesively secured to the lower surface of the first film at the permanent adhesive bond but having a separable interface between the adhesive and the release coat of film with a removable die cut segment having a variable selective adhesion to the separable interface. The Examiner did not acknowledge that the Egan construction provides releasable layers that have constant adhesion to one another across the total surface which makes it difficult to raise an edge in order to begin to remove the removable portion.

The applicant wishes to point out that the Egan construction requires that a portion of the lamination can be removed by separating two releasably joined plastic sheets without any adhesive being exposed on either the removed member or the surface from which the removed member was removed (col. 2, lines 39-42).

Claim 1 of the present application points out that there is between a first film layer and a second film layer, a permanent bond interface A. In addition, a third film layer is laminated onto the upper surface of the first film layer and the device has a removable segment that is formed by die cutting through the third and first layers. The die cut segment has on its lower surface a pattern of selective variable adhesion which is achieved by surface treatment of the lower surface of the first layer or the upper surface of the second layer or by the surface treatment of both the first and the second layers. This construction allows for

the separation of the upper and lower structures due to the presence of the patterned adhesive. Egan does not mention the use of variable surface treatment as a technique for modifying the adhesion at an interface which is at one side of an adhesive while the interface at the opposite side of the adhesive layer is not modified.

The claims of the present application point out that the interfaces on either side of the adhesive layer are different. For example, element 16 in Fig.1 shows interface A above adhesive 16 and interface B which is at the lower surface of adhesive layer 16 and the claim language point out that the interfaces have different adhesion for the same adhesive because only one surface of the layer that contacts the adhesive layer is treated to allow for separation of the layers. This concept is not disclosed by Egan who thermally laminates two plastic films, i.e. sheet 1 and sheet 2 (col. 9, lines 38-41 using a thermal lamination technique which is based on placing a release coating in a pattern between the two plastic sheets. The claims of the present application uses an adhesive and surface modification of one sheet to provide a structure that may be readily separated when desired. For these reasons, it is requested that this ground of rejection be withdrawn.

In paragraph 5 of the Office Action, claims 89-96 were rejected under 35 U.S.C. §103(a) as being unpatentable over Egan in view of Grabau.

Reconsideration is requested.

The deficiencies of the Egan reference have been discussed above. Egan only teaches thermal lamination of two plastic films where a pattern of a release coating has been applied to one of the plastic sheets prior to the thermal lamination step for the purpose of allowing the separation of the thermally bonded sheets.

The Grabau patent discloses the concept of embedding an RFID device into a label. It does not disclose the concept of providing one type of interface between one face of an

adhesive layer and a different interface between the opposite face of the adhesive layer. The Egan patent has been distinguished above from the claims of the present application and nothing in Grabau provides any information that suggests the particular structure that is pointed out in the amended claims of the present application. For these reasons, it is requested that this ground of rejection be withdrawn.

In paragraph 6 of the Office Action, claims 1-44 and 89-92 were rejected under 35 U.S.C. §112, second paragraph for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention.

Reconsideration is requested.

The Examiner pointed out that claims 1, 12 and 34 did not provide a proper antecedent basis for the terms "first thin film" and "the first thin film". In response to this rejection the claims have been reviewed and a proper antecedent basis has been added for these terms, where required. Claim 34 has also been amended to provide a proper antecedent basis for the term "first thin film". Claim 23 has been amended to add an antecedent basis for the term "said first thin film layer". In addition claims 5, 16, 27, 38, 49, 60, 71 and 82 have been amended to delete the term "obvious equivalent". For these reasons, it is requested that this ground of rejection be withdrawn.

In paragraph 9 of the Office action, claims 1-97 were rejected for obviousness double patenting over claims 1-53 of copending application 10/505,392.

Reconsideration is requested.

Since this is a provisional rejection because no claims have been allowed in the copending application, it is requested that this ground of rejection be held in abeyance pending the allowance of copending application Serial No. 10,505,392.

An early and favorable action is earnestly solicited.

Respectfully submitted,



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